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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Frank Hulstaert
Eugeen VanMechelen
Hugo Vanderstichele

Serial No.: 09/786,481

Filed: March 5, 2001

For: TAU AS A MARKER FOR EARLY CNS
DAMAGE

Confirmation No.: 8708

Group Art Unit: 1647

Examiner: NICHOLS, C.J.

Atty. Dkt. No.: 11362.0034.PCUS00
(INNS034)

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT
DATED SEPTEMBER 12, 2002

Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is submitted in SUPPLEMENTAL response to the Restriction Requirement dated September 12, 2002 for which the date for response is October 12, 2002. This supplemental response is submitted to correct two inadvertent errors appearing in the Response filed October 4, 2001.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/11362.0034.PCUS00.

Inadvertent Errors appearing in Response Mailed October 4, 2002

The errors to be corrected are indicated in **bold text** in the corrected passages described below. Additionally, for the Examiner's convenience, copies of the corrected pages from the response are enclosed herewith wherein the correction is indicated in red ink.

A. The first inadvertent error occurred in Applicants recitation of the groups set out by the examiner, as it appears at page three of the Response. Group II incorrectly recited:

"Group II: Claims 1, 2 and 4-11 drawn to detection/quantification of CNS damage based on analysis of cerebrospinal fluid."

The corrected recitation reads:

"Group II: Claims 1, 2 and 4-11 drawn to detection/quantification of CNS damage based on analysis of **blood derivatives**."

B. The second error is at page 4 of the Response in the paragraph beginning "[t]his amendment, clarifies." That correct paragraph recites:

*"This amendment clarifies the fact that CNS damage resulting from Alzheimer's disease (AD) is not encompassed by the types of CNS damage listed in the pending claims. Since the cited art does not teach or discuss any type of CNS damage other than that caused by AD, it does not anticipate any of the current claims. Furthermore, WO 94/13795 does not teach or suggest a relationship between tau levels and the types of CNS damage recited in the currently pending claims and therefore does **not** anticipate the pending claims."*

Applicant respectfully apologizes for any inconvenience these inadvertent errors may have caused.

The Examiner is invited to contact the undersigned patent agent at (713) 787-1589 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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Date: October 9, 2002